



IPW

**PATENT****Attorney Docket No.: 2053CON3(203-2389CON3)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Orszulak et al.

Examiner: Not Assigned

Serial No.: 10/766,661

Group: Art Unit Not Assigned

Filed: January 27, 2004

Dated: May 10, 2004

For: SMART RECOGNITION APPARATUS AND METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the U.S. references listed are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. A copy of the foreign reference listed on form PTO-1449 is enclosed.

Applicant would also like to bring commonly-owned U.S. Application Serial No. 10/718,114 filed on November 20, 2003, International Application No. PCT/US03/37110 filed on November 20, 2003, to the Examiner's attention. Copies of these applications are enclosed.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner-for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 10, 2004

Dated: May 10, 2004

Edward C. Meagher

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- This information disclosure statement is being filed within three (3) months of the filing date of this application.
- This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

**TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

Edward C. Meagher  
Reg. No. 41,189  
Attorney for Applicant(s)

**Carter, DeLuca, Farrell & Schmidt, LLP**  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526  
ECM/gm



Sheet 1 of 1

## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)  
2053CON3(203-2389CON3)

Application Number  
10/766,661

Applicant  
Orszulak et al.

Filing Date  
January 27, 2004

Group Art Number

### U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		5,157,603	10/20/92	SCHELLER ET AL.			
		5,342,356	8/30/94	ELLMAN ET AL.			
		5,396,062	3/7/95	EISENTRAUT ET AL.			
		5,400,267	3/21/95	DENEN ET AL.			
		5,413,573	5/9/95	KOIVUKANGAS			
		5,434,398	7/18/95	GOLDBERG			
		5,605,150	2/25/97	RADONS			
		5,625,370	4/29/97	D'HONT			
		5,651,780	7/29/97	JACKSON ET AL.			
		5,660,567	8/26/97	NIERLICH			
		6,068,627	5/30/00	ORSZULAK ET AL.			
		6,402,743	6/11/02	ORSZULAK ET AL.			
		6,685,701	2/3/04	ORSZULAK ET AL.			

### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation
							Yes
							No
		WO 9608794	03/21/96	PCT			

### OTHER DOCUMENTS


Examiner	Date Considered
----------	-----------------

Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.